IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.1120 OF 2001

ALONGWITH

NOTICE OF MOTION NO.801 OF 2001

AND

NOTICE OF MOTION NO.3092 OF 2002

Badruddin A.Patel .. Plaintiff.

Versus

Manhar P. Khadawala & Ors. .. Defendants.

Mr.Rajesh Singh i/b.Bharat Joshi for plaintiff.
Ms.K.C.Nichani i/b.Amit Sheth for defendant Nos.1,4,6,7 and 8.
Mr.Bharat Raghani i/b.Haridas & Co. for defendant Nos.2,3 and 5.

CORAM : V.C.DAGA, J.
DATE : 20th February, 2008.

P.C.:

1. Parties to the suit have filed Consent Terms duly signed by the plaintiff and defendant Nos.1 to 5 and counter signed by their respective Advocates. They admit the terms and conditions of the Consent Terms. The same are examined and found to be reasonable and acceptable. The Consent Terms are therefore taken on record and marked "X" for the purpose of identification. On the joint motion made by the learned Counsel appearing for the parties, the suit is allowed to be decreed in terms of the said Consent Terms. Decree to be drawn up accordingly.

2. On the motion made by the learned Counsel Ms.K.C.Nichani, appearing for defendant Nos.6,7 and 8, the suit is allowed to be withdrawn as against the said defendant Nos.6,7 and 8 and dismissed as such.

3. Needless to mention that the plaintiff would be entitled for refund of the Court fees, if any, as per rules.

4. In view of the above disposal of the suit, Notice of Motion Nos.801 of 2001 and 3092 of 2002 do not survive and the same are disposed off accordingly.

(V.C. DAGA, J.)